

ZONING AND ADJUSTMENT BOARD

June 4, 2007

The Zoning and Adjustment Board of Sumter County, Florida, convened on Monday, June 4, 2007, at 6:30 pm with the following members present: Larry Story – Chairman, Ron Berry, Frank Topping, Richard Cole, Nathan Yoder, Dossie Singleton, Marge Thies, Bailey Cassels, Frank Szczepanski, and Brad Shepherd.

Members Woody Hill and Todd Brown were absent.

Sandy Cassels – Secretary, and Brad Cornelius - Planning Manager were present. Lee Hawkins - Zoning and Adjustment Board Attorney, was also present.

Chairman Larry Story called the meeting to order with Ms. Thies leading the pledge of allegiance and Mr. Berry leading the prayer.

Mr. Story presented the proof of publication.

Mr. Cole made a motion to approve the minutes from the May 21, 2007, meeting. Mr. Cassels seconded the motion and the motion carried.

S2007-0011

Volnei J. & Maria Rodrigues – Minor Special Use Permit to allow Agricultural Housing

Mr. Cornelius explained the applicant submitted a letter requesting this application be tabled until the June 18, 2007, Zoning and Adjustment Board Meeting (ZAB).

Mr. Topping made the motion to table the Special Use Permit to the June 18, 2007 ZAB meeting. Mr. Cole seconded the motion and the motion carried with a roll call vote: Frank Topping – aye, Ron Berry – aye, Brad Shepherd – nay, Richard Cole – aye, Bailey Cassels – aye, Nathan Yoder – aye, Marge Thies - aye, Frank Szczepanski – aye, Larry Story – aye, and Dossie Singleton - aye.

R2007-0028

James & Nancy Neal – Rezone 4.7 acres MOL from a non-compliant A5, non-vested C2 & RR to RR1.

James & Nancy Neal, applicants, were present and requesting a rezoning on 4.7 acres MOL from a non-compliant A5, non-vested C2, & RR to RR1. There were five (5) notices sent. Of the five (5) notices sent, none were returned in favor or in objection. There were no objections from the audience. Mr. Cole asked how the non-compliant and non-vested zonings were discovered. Mrs. Cassels stated Mr. & Mrs. Neal came into the office to ask about dividing their property, and the zoning problem was discovered at that time. Mr. Cole asked Mr. Neal what their plans were for the property. Mr. Neal stated their plans are to divide and sell the property as two (2) parcels.

Mr. Topping made the motion to recommend approval of the rezoning to the Board of County Commissioners. Mr. Cole seconded the motion and the motion carried.

R2007-0030

Edward & Susan Phifer – Rezone 5 acres MOL from A5 to RR1C to complete a lineal transfer.

Erika Taylor, applicant, was present and requesting rezoning on five (5) acres MOL from A5 to RR1C to complete a lineal transfer. There were six (6) notices sent. Of the six (6) notices sent, one (1) was returned in objection and none were returned in favor. There were no objections from the audience. Mrs. Cassels read the letter of objection into the record. Ms. Taylor explained her parents are deeding her two (2) of the five (5) acre parcel. She plans to construct a conventionally built home.

Mr. Topping made the motion to recommend approval of the rezoning to the Board of County Commissioners. Mr. Cole seconded the motion and the motion carried.

SS2007-0007

Densan Partners, LLC – Small Scale Land Use Amendment on 6 acres MOL from Agriculture to Rural Residential and Recreation.

David Springstead, representative for the applicant, was present and requesting a Small Scale Land Use Amendment on 6 acres MOL from Agriculture to Rural Residential and Recreation. There were five (5) notices sent. Of the five (5) notices sent, none were returned in favor or in objection. There were no objections from the audience. Mr. Cornelius explained this Small Scale Land Use Amendment is adjacent to property that previously approved for a Large Scale Land Use change and was rezoning for a 200 dwelling unit subdivision. The applicant will utilize the 6 acres as part of the approved development for a recreational area and an additional four (4) conventional homes. Mr. Shepard asked Mr. Springstead if there would be public access to the recreational area or if the recreational area would be limited to the residents of the development only. Mr. Springstead stated there would be public access. Mr. Springstead also stated the development would be provided with water and sewer from the City of Wildwood. Ms. Thies asked Mr. Springstead if the access to the property would be by an easement or a county maintained road. Mr. Springstead stated the access would be by an easement.

Mr. Topping made the motion to recommend approval of the Small Scale Land Use Amendment on 6 acres MOL to the Board of County Commissioners. Mr. Cole seconded the motion and the motion carried.

R2007-0029

Densan Partners, LLC – Rezone 6 acres MOL from A5 to RR1C & Rec

David Springstead, representative for the applicant, was present and requesting a rezoning on 6 acres MOL from A5 to RR1C and REC to bring the property into compliance with the Future Land Use Map. There were five (5) notices sent. Of the five (5) notices sent, none were returned in favor or in objection. There were no objections from the audience. The rezoning request is related to the Small Scale Land Use Amendment from the previous case. There was no further discussion.

Mr. Topping made the motion to recommend approval of the rezoning to the Board of County Commissioners. Mr. Yoder seconded the motion and the motion carried.

SS2007-0008

Frances Caruthers – Small Scale Land Use Amendment on 1.46 acres MOL from Agricultural to Commercial.

Frances Caruthers, applicant, was present and requesting a Small Scale Land Use Amendment on 1.46 acres MOL from Agricultural to Commercial. There were five (5) notices sent. Of the five (5) notices sent, two (2) were returned in favor and none were returned in objection. There were no objections from the audience. Mr. Topping asked Mrs. Caruthers about annexing into the City of Wildwood. Mrs. Caruthers stated she applied for annexation. However, her paperwork was never processed. When she spoke to the City about the annexation process, she was told annexation would not be possible at this time.

Mr. Topping made the motion to recommend approval of the Small Scale Land Use Amendment to the Board of County Commissioners. Mr. Cole seconded the motion and the motion carried.

R2007-0031

Frances Caruthers. – Rezone 1.46 acres MOL from A1 & C2 to CL (Light Commercial)

Frances Caruthers, applicant, was present and requesting a rezoning on 1.46 acres MOL from A1 & C2 to CL (Light Commercial). There were five (5) notices sent. Of the five (5) notices sent, two (2) were returned in favor and none were returned in objection. There were no objections from the audience. Mr. Cole asked Mrs. Caruthers if she has any plans for what the property may be utilized for. Mrs. Caruthers stated she wants to open a restaurant on the property.

Mr. Topping made the motion to recommend approval of the rezoning to the Board of County Commissioners. Mr. Brown seconded the motion and the motion carried.

Other Business:

Mr. Cornelius submitted information and discussed the Zoning and Adjustment Board Rules and Responsibly. The Board discussed tabling cases, standards of review and other related issues.

Mr. Hawkins discussed the Sunshine Law with the Board Members. The Board discussed how the Sunshine Law impacts their operation.

Mr. Cole made a motion to adjourn the meeting at 8:30 p.m. Mr. Berry seconded the motion and the motion carried.

Larry Story, Chairman
Zoning and Adjustment Board